GOVERNMENT OF INDIA
RAILWAYS
LOK SABHA

UNSTARRED QUESTION NO:6526
ANSWERED ON:09.05.2002
POST BASED ROSTER
N.T. SHANMUGAM

Will the Minister of RAILWAYS be pleased to state:

(a) whether DOP&T has introduced 'Post Based Rosters' in place of 'Vacancy Based Rosters' for implementing the reserving system since, 1997;

(b) if so, the reasons therefor;]

(c) whether while introducing 'Post Based Rosters' in place of 'Vacancy Based Rosters' the process of identifying excess/shortages, if any in Class I, II, III and IV category of services under the Ministry of Railways and all the Autonomous/Statutory organisations, and Public Sector Undertakings was undertaken as prescribed as the DOP&T's OM No. 36012/96- Estt.(Res) dated July 2, 1997;

(d) if so, the details of excess/shortages found in all the category of services;

(e) whether 'Post Based Rosters' are introduced in place of 'Vacancy Based Rosters' without completing the process of identifying excess/shortages, if any, as prescribed under the referred OM; and

(f) if so, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL)

(a): Yes, Sir.

(b): Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training (DOP&T) vide its O.M. dated 2.7.1997, have introduced 'Post Based Rosters' in place of 'vacancy based rosters' with a view to bringing the policy of reservation in line with the law laid down by the Hon'ble Supreme Court in the case of R. K. Sabharwal Vs. State of Punjab as well as J. C. Malik Vs. Ministry of Railways.

(c) to (f): A statement is enclosed.

STATEMENT REFERRED TO IN REPLY TO PARTS (c) TO (f) OF UNSTARRED QUESTION NO. 6526 BY SHRI N.T. SHANMUGAM TO BE ANSWERED IN LOK SABHA ON 09.05.2002 REGARDING POST BASED ROSTER

(c) In the case of J.C. Malik where Ministry of Railways was a party, the Hon'ble Supreme Court directed Ministry of Railways to follow the principles as laid down by the Court in the case of R.K. Sabharwal which state that the vacancy based roster shall continue till the prescribed percentage (15% for SCs, 7.5% for STs and 27% for OBCs) of reservation is not achieved. Once the same is achieved, the vacancy based rostesr cease to operate and thereafter, the principles of replacement have to be followed so as to maintain the prescribed percentage. Keeping in view the above principles and the principle of 50% limit of reservation, laid down by the Hon'ble Supreme Court, we have made a successful attempt to provide the roster in such a manner that they will be equal to the size of the cadre posts, and number of the roster points have been fixed and evenly distributed in such a manner that the prescribed percentage of reservation is achieved. In order to achieve this principle, 0.5 and above has been taken as one post and less than 0.5 has been ignored and treated as nil. By applying the above principles, the detailed instructions alongwith model rosters for Group 'C' and Group 'D' of Recruitment and Promotion categories issued vide Railway Board's letter dated 21.8.1997, have not violated Hon'ble Supreme Court's order pronounced in the case of R. K. Sabharwal.

As regards Group 'A' and Group 'B', it is stated that cadres in Group 'A' (Junior Scale) and Group 'B' in promotional categories are not maintained separately because posts in these Groups of Services are interchangeable. As such, adoption of post based rosters which are constructed with respect to cadre strength in these Groups are not feasible. The position in this regard was apprised to DOP&T in time.

However, in the case of recruitments in group 'B' and Junior Scale of Group 'A', which are being done centrally through UPSC, the instructions and the model rosters prescribed by DOP&T vide its said O.M. dated 2.7.1997 are being followed.

(d): The overall shortages(in percentage) of employees belonging to SCs/STs with respect to total number of staff strength as on 31.3.2001 in Groups 'A', 'B', 'C'& 'D' are as under keeping in view the prescribed percentage of reservation i.e 15% for SCs and 7.5% for STs :

Group of services				
	A	B	C	D
SC	Nil	1.67%	0.63%	Nil
ST	Nil	2.38%	1.41%	0.42%

(e) &(f): The contents of DOP&T's O.M dated 2.7.1997 as regards the identification of shortage or excess in a particular cadre for future adjustment has been elaborated in Railway Board's letter dated 21.8.1997 for strict compliance.